

# **EXHIBIT B**

1 UNITED STATES DISTRICT COURT  
2 MIDDLE DISTRICT OF PENNSYLVANIA  
3

4 JILL BALLARD, REBECCA VARNO,  
5 and MARK POKORNI on behalf  
6 of themselves and the class  
7 members described herein,

8 Plaintiffs,

9 vs.

No. 3:18-cv-00121-MEM-MCC

10 NAVIENT CORPORATION, NAVIENT  
11 SOLUTIONS, INC., AND NAVIENT  
12 SOLUTIONS, LLC,  
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14 Defendants.  
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16 DEPOSITION OF REBECCA VARNO

17 Schenectady, New York

18 Thursday, July 14, 2022

19 VOLUME I

20 (All parties appearing remotely via video conference.)  
21

22 Reported by:

23 WINDY PICARD

24 CSR No. 12879

25 Job No. 5305825

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1 of time before my income based repayment renewal is due  
2 before something changes on my account. Right?

3 So I went back and made sure I submitted  
4 everything correctly, 'cause then I was worried. You  
5 know, they're saying that it's not going to be applied  
6 to my account, but then they're going to come back and  
7 say I did something wrong.

8 So I -- in one of the phone calls with  
9 Navient, I was told that my payment was going to  
10 increase significantly while this limbo -- again, my  
11 words -- this limbo period was closing, and it would be  
12 applied to my account.

13 So I couldn't afford those -- what the person  
14 on the phone told me my increased payments were going  
15 to be. And so --

16 I'm sorry. Do you want me to keep going?

17 Q Yeah.

18 A Okay. So I was told that I could put my loans  
19 in forbearance so that I wouldn't have to have that  
20 increased payment. So that -- that -- those were my  
21 two options, which, you know, were great.

22 Because increased payments to a level I  
23 couldn't afford or forbearance, which I -- I know, as a  
24 person who has these loans, that there are a very  
25 limited amount of forbearance months you're --

1 everybody is allowed to have.

2 And I -- I -- at the time, I believe, I was  
3 very close to -- I was very close to maxing out on the  
4 amount of forbearance I would ever be allowed in the  
5 history of my loans.

6 But it was one or the other. That -- that  
7 was -- in my understanding, that was all -- those were  
8 the two options I had.

9 And so there was a recording that was played,  
10 and the person said, okay, your loans will go into  
11 forbearance then while this limbo period or while we --  
12 before we -- you know, we can apply it to your account,  
13 and then the forbearance will end, and you'll go back  
14 into your IBR.

15 Q Okay. Did you suffer any harm as a result of  
16 any of that servicing by Navient?

17 A Well, as you can tell from my voice, it was  
18 pretty stressful. I mean, the problem with going into  
19 forbearance when you're at the end of your forbearance  
20 allotment, for somebody like me --

21 The IBR program for undergraduates are  
22 20 years. For graduate loans, it's 25 years. And  
23 that's a long time in the history of -- you know, when  
24 you're -- how old was I then -- I don't know.

25 Basically, I was looking -- I was looking at

1 another 18 to 22 years. And if I had no forbearance  
2 left, which I assumed I was, you know, going to be  
3 very --

4 I was either going to be using them all up or  
5 I would have maybe a month or two left. I -- I -- what  
6 was I going to do if there was an emergency in my  
7 family? What was I going to do if -- I don't know.

8 There's all kinds of thing that people would  
9 legitimately need to go into forbearance for. I was  
10 using them all up because of a -- not an error on my  
11 end.

12 I submitted all my paperwork. I confirmed  
13 that I did it correctly. And I was given no option  
14 that I could afford or that worked for me, besides --  
15 besides being put into forbearance.

16 Q So from your perspective, based on what  
17 you've -- you've heard, what are your forbearance  
18 eligibility periods?

19 A I mean, I don't know -- sorry. I'm going to  
20 make this window bigger. I don't know -- I don't know  
21 the number of months you're given.

22 I want to say that you're given something like  
23 two years, maybe. Maybe you're given 24 months. Maybe  
24 it's somewhere in that range. I don't -- I --

25 Q So in 2017, why did you think you were getting

1 close to the end of your eligibility?

2 A Because I had had my loans in forbearance  
3 before.

4 Q On how many occasions had you had them in  
5 forbearance?

6 A Again, I don't know without going back. But a  
7 couple of different times when I was working and not  
8 able to make payments on my loans, I put them into, I  
9 think it was called, economic hardship, I believe is  
10 the terms you guys used -- economic something hardship,  
11 I think it is.

12 I knew, in my head, I was pretty close or I  
13 was darn close to the limit that I was going to be  
14 allowed.

15 Q Okay. Aside from the harm that you just  
16 described to me, did you suffer any other type of harm  
17 from the servicing in 2017 related to your IBR  
18 application?

19 A Well, there was interest put on my account  
20 that was capitalized, and it's still there. It's still  
21 getting more and more.

22 And that was added onto my account, I believe,  
23 that month or maybe the month later.

24 And, you know, it took time. It took energy.  
25 I -- I spent time on the phone. I spent, sometimes --